

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Boys on May 9, 2008.

The application has been amended as follows:

Amend claim 18 as follows

18. (Currently Amended) A system for specifying a new data processing batch program, comprising:

**a memory having recorded thereon** a software instance [operating on a computer readable medium comprising];

an invariable part of all data processing batch programs presented as an extensible code library;

at least one place-mark positioned at a point in the invariant part;

at least one necessary variable part for insertion into the invariable part; and

a model representing **the software instance, executing from a memory, generates** the necessary variable parts are generated using a the model and inserts the generated variable parts [are inserted] into the invariable portion at the place-mark.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

When considering ANSI standard C++ the claimed invention distinguishes itself by implementing a "batch" program with place-marks. ANSI C++ and C utilize a preprocessor to place compiler directives and support the ability to perform compiler switches which control the use of includes. Typically there is no substitution as in the claimed invention at the place-marks. And the results of ANSI C and C++ are not by default batch.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Correspondence Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on (571) 272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Todd Ingberg/  
Primary Examiner

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